

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES,

Plaintiff,

-v-

JOSE ARIS RAMIREZ,

Defendant.

21-cr-160 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

This Court previously received a letter dated July 2, 2022 from defendant Jose Aris Ramirez requesting a temporary stay of his restitution obligations and that the amount of \$5,000 be credited toward Ramirez's restitution. The Government responded on July 19, 2022, and Ramirez sent an additional letter detailing his financial circumstances dated August 8, 2022. These letters have been filed under seal.

Mr. Ramirez has made a sufficient showing that making payments of 10% of his gross income as required by this Court's judgment (Dkt. 25 at 7) would cause him real (although perhaps not insurmountable) hardship. As such, this Court stays Mr. Ramirez's restitution obligations for six months, until February 24, 2023. See 18 U.S.C. § 3664(k) (authorizing courts to adjust a restitution payment schedule following "any material change in the defendant's economic circumstances").

The Court declines to order that \$5,000 be credited toward Ramirez's restitution amount. Though Ramirez contended in his initial letter that \$5,000 was seized from him at the time of his arrest, the Government disputes this, and Ramirez offered in his second letter no evidence or even details that might substantiate his version of events.

For the foregoing reasons, Mr. Ramirez's restitution obligations are stayed until February 24, 2023. The probation department is directed to prepare an updated report as to Mr. Ramirez's assets, income, and ability to pay by no later than February 17, 2023, which should be filed with the Court and sent to all parties.

SO ORDERED.

New York, NY
August 24, 2022



JED S. RAKOFF, U.S.D.J.